

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

HUGO GONZALEZ
(DOB: XX/XX/1983)

CASE NUMBER: 12-816 M(NJ)

I, Lee R. Chartier, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

Beginning in approximately July, 2011 and continuing until at least January, 2012, in the State and Eastern District of Wisconsin and the State and Northern District of Illinois, the defendant, by the use of a means of interstate and foreign commerce, namely, a computer connected to the internet, knowingly persuaded, induced, enticed and coerced an individual under the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, all in violation of Title 18, United States Code, Section 2422(b).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and this complaint is based on the following facts:

Please see my attached affidavit.

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No



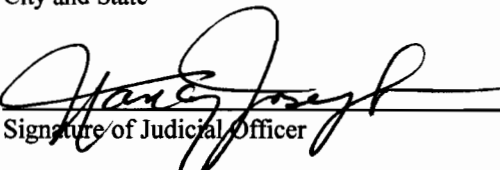
Signature of Complainant

Sworn to before me and subscribed in my presence,

March March 6th, 2012
Date

The Honorable Nancy Joseph
United States Magistrate Judge

Name & Title of Judicial Officer

at Milwaukee, Wisconsin
City and State


Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Lee R. Chartier, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation, and have been since November 2007. I am currently assigned to the Milwaukee Division Cyber Crimes Task Force (CCTF). As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. I make this affidavit in support of a criminal complaint alleging that Hugo Gonzalez, D.O.B. XX/XX/1983, beginning in approximately July, 2011 and continuing until at least January, 2012, in the State and Eastern District of Wisconsin and the State and Northern District of Illinois, by the use of a means of interstate and foreign commerce, namely, a computer connected to the internet, knowingly persuaded, induced, enticed and coerced an individual under the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, all in violation of Title 18, United States Code, Section 2422(b).

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from the Security Incident Response Team at Facebook, as well as other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On January 24, 2012, I was contacted by Facebook security via email regarding inappropriate contact between an adult individual and a minor girl. Facebook owns and operates

a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public. Facebook security identified the adult individual from his Facebook profile as Hugo Gonzalez, who listed his city of residence as Kenosha, Wisconsin and his age at 26. Facebook security further identified the juvenile female as C.M. with a listed age on her Facebook profile of 15 and a city of residence as Carpentersville, Illinois. According to Facebook security, Gonzalez had communications with multiple juvenile females on Facebook, but the majority of his communications were with C.M. Gonzalez first began communicating with C.M. on approximately July 22, 2011, but Facebook disabled his account at the end of January, 2012.

5. Facebook security further provided me with a copy of a small sampling of the correspondence between C.M. and Hugo Gonzalez through their Facebook accounts between October 7, 2011 and January 16, 2012. The correspondence was in Spanish, but translated into English by Facebook in the report they provided. On October 7, 2011, Gonzalez told C.M., “thank you for allowing me to see you,” and professed his love for her. She responded that she loved seeing him and kissing him. On December 21, 2011, Gonzalez wrote to C.M., “it’s ok my love I understand that you’re scared that if we have sex I’ll leave you ☹ but you don’t have to worry because I love you....” C.M. then replied that she loved Gonzalez and discussed a plan to meet up at the movies the next day but to stay in the car to fool around. On December 23, 2011, Gonzalez and C.M. discussed their meeting, and professed their love. C.M. noted that, “my love you gave me a big hickey.” On December 28, 2011, Gonzalez wrote to C.M. that he was, “here at the gas station waiting for you to tell me when I can go.” Later that date, the two

corresponded again, and C.M. thanked him for the gifts including a bra and panties which she would wear the next time she saw him. Gonzalez told C.M., "I love it how little by little you aren't as scared about sex and you allow me to explore your body," and C.M. replied, "I enjoy it it feels good even though it hurts a little ;P and yes my love little by little I am less scared to make love." Gonzalez then told C.M. that he was "dying to make love to you," and noted that, "when you get more horny and have an orgasm you're going to scream more."

6. On December 29, 2011, C.M. wrote Gonzalez that she "was so sore," and elaborated that "yes it hurts and my legs do too ☺ my vagina ☺ but I liked it my love it was sexy when you turned me and then got on top of me." Gonzalez replied that he was sorry, and noted that since it was C.M.'s first time, "that's why it hurts you'll see that little by little it won't hurt." On December 30, 2011, Gonzalez discussed what he wanted to do to C.M. when he saw her again: "caress your beautiful breasts and then I would start to touch your vagina and kiss you with passion and you would be so horny and then we would make love."

7. On January 16, 2012, C.M. told Gonzalez that her father left, her brother was in the basement and her mother would arrive at 6:00 P.M. Gonzalez replied that he was "already here at the gas station" and would be on his way. Later that date, the two discussed their sexual encounter.

8. Using the information from Facebook and through checking with public databases and the Wisconsin Department of Transportation, agents were able to identify a Hugo Gonzalez, D.O.B. XX/XX/1983, with an address of 15XXX Horton Road, Kenosha, Wisconsin. Gonzalez was 28 years old at the time of the events described herein.

9. On February 7, 2012, investigators interviewed C.M., whose legal name is C.O., in the presence of her mother at the McHenry County Child Advocacy Center in Woodstock,

Illinois. C.O. reported that she resided on Village Creek Drive, in Lake of the Hills, Illinois, and that her date of birth was XX/XX/1998, making her 13 years of age at the time the events occurred as described in this affidavit. Investigators advised C.O. of that chat logs they had reviewed from Facebook on December 28, 2011, and C.O. stated that on that date, Gonzalez came to her house, and that they went into her bedroom. C.O. related that she was topless, and Gonzalez reached into her jeans and touched her bare vagina. C.O. was also confronted with the chat logs from January 16, 2012, and C.O. stated that on that date, Gonzalez came over and she stroked his penis until he ejaculated. The following day, agents met with C.O. in her home, and presented her with a booking photo of Hugo Gonzalez, DOB XX/XX/1983. C.O. identified the picture as that of the Hugo Gonzalez with whom she had a relationship, and she signed her initials next to the picture. C.O. further stated that Gonzalez knew of her age at the beginning of their relationship, and she knew that he resided at 15XXX Horton Road, Kenosha, Wisconsin.

10. On February 2, 2012, agents applied for and obtained search warrants for the Facebook accounts operated by C.O. and Hugo Gonzalez. Agents obtained the requested information subsequent to the interview of C.O. on February 7 and 8, 2012, and have begun reviewing and translating the chat records, much of which are in Spanish. Agents did note that on January 19, 2012, Gonzalez told C.O. that he was fortunate that she gave him those memories of her "first time," and though there are men who like girls with experience, he does not, and would teach her everything he knew. On January 22, 2012, the pair discussed the fact that C.O. took a pregnancy test, and was not pregnant.